

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION

IN RE NATIONAL PRESCRIPTION  
OPIATE LITIGATION

MDL No. 2804  
Case No. 17-md-2804  
Judge Dan Aaron Polster

**This document relates to:**

*The County of Cuyahoga v. Purdue  
Pharma L.P., et al.*, Case No. 17-OP-45004

*The County of Summit, Ohio, et al. v.  
Purdue Pharma L.P. et al.,  
Case No. 18-OP-45090*

---

**DECLARATION OF TIMOTHY W. KNAPP IN SUPPORT OF  
DEFENDANTS' MOTION TO EXCLUDE MEREDITH ROSENTHAL'S  
OPINIONS AND PROPOSED TESTIMONY**

I, Timothy W. Knapp, declare as follows:

1. I am an attorney at Kirkland & Ellis LLP, counsel for Defendants Allergan Finance, LLC, Allergan plc, Allergan Sales, LLC, and Allergan USA, Inc. in the above captioned case.
2. I submit this declaration in support of the Defendants' Motion to Exclude Meredith Rosenthal's Opinions and Proposed Testimony.
3. Attached as Exhibit 1 is a true and correct copy of the March 25, 2019 Expert Report of Professor Meredith Rosenthal.
4. Attached as Exhibit 2 is a true and correct copy of excerpts from the May 4, 2019 and May 5, 2019 depositions of Professor Meredith Rosenthal.
5. Attached as Exhibit 3 is a true and correct copy of David M. Cutler, et al., *The Value of Antihypertensive Drugs: A Perspective on Medical Innovation*, Health Affairs 26, no. 1 (2007).

6. Attached as Exhibit 4 is a true and correct copy of excerpts from the April 23, 2019 deposition of Matthew Perri.

7. Attached as Exhibit 5 is a true and correct copy of excerpts from the April 26, 2019 deposition of David Kessler.

8. Attached as Exhibit 6 is a true and correct copy of excerpts from the April 26, 2019 deposition of David Cutler.

9. Attached as Exhibit 7 is a true and correct copy of excerpts from the June 6, 2019 deposition of Henry Grabowski.

10. Attached as Exhibit 8 is a true and correct copy of Mark Hirschey, *Intangible Capital Aspects of Advertising and R&D Expenditures*, The Journal of Industrial Economics 30(4) at 375 (1982).

11. Attached as Exhibit 9 is a true and correct copy of excerpts from the June 5, 2019 deposition of Margaret Kyle.

12. Attached as Exhibit 10 is a true and correct copy of excerpts from the May 10, 2019 Expert Report of Margaret Kyle.

13. Attached as Exhibit 11 is a true and correct copy of excerpts from the May 10, 2019 Expert Report of Jonathan Ketcham.

14. Attached as Exhibit 12 is a true and correct copy of excerpts from R. Carter Hill and William E. Griffiths, *Principles of Econometrics* at 476 (John Wiley & Sons, Inc., 4th ed. 2011).

15. Attached as Exhibit 13 is a true and correct copy of excerpts from Peter Kennedy, *A Guide to Econometrics* at 139 (6th ed. 2008).

Dated: June 28, 2019

Respectfully submitted,

/s/ Timothy W. Knapp

Timothy W. Knapp  
KIRKLAND & ELLIS LLP  
300 North LaSalle  
Chicago, IL 60654  
Tel: (312) 862-2000  
timothy.knapp @kirkland.com

*Attorney for Defendants Allergan plc f/k/a Actavis plc;  
Allergan Finance, LLC f/k/a/ Actavis, Inc. f/k/a Watson  
Pharmaceuticals, Inc.; Allergan Sales, LLC; Allergan  
USA, Inc.*

CERTIFICATE OF SERVICE

I, Donna M. Welch, hereby certify that the foregoing document was served via the email consistent with the Court's order to all counsel of record.

*/s/ Donna M. Welch*  
Donna M. Welch  
KIRKLAND & ELLIS LLP  
300 North LaSalle  
Chicago, IL 60654  
Tel: (312) 862-2000  
donna.welch@kirkland.com